

REMARKS

Claims 1-26 are pending in the application, of which claims 1 and 14 are independent.

Examiner Interview

Applicant would like to thank the Examiner for the courteous telephonic interview he conducted with one of applicant's representatives on or about 6 September 2006. In conjunction with said interview applicant submitted a Proposed/Draft Amendment-A – For Discussion Purposes Only, which Draft Amendment-A included the same claim modifications as presented above. Not agreement was reached in the interview. The Examiner simply indicated that he could not comment on the proposed claim modifications without conducting a further search on the matter, and that he would not conduct a search until after a formal amendment was filed.

Amendments Presented

In the above amendments, claims 1, 2, 3, 14, 15, and 16 are amended to better define that the first and second relay devices are configured to be mounted to first and second mobile apparatuses, respectively, and further to define that the network is configured to function independent of a host. The specification is amended to provide an express antecedent basis for the language of the amended claims.

Applicant respectfully submits that all of the above amendments are fully supported by the original specification, including the drawings and claims. Applicant also respectfully submits that no new matter is introduced by the above amendments.

Response to Rejections Presented In Office Action

The above-identified Office Action has been reviewed, the references carefully considered, and the Examiner's comments carefully weighed. In view thereof, the present Amendment is submitted. Applicant respectfully submits that all of the above amendments are fully supported by the original application. Applicant also respectfully submits that the above

amendments do not introduce any new matter into the application. It is contended that by the present amendment, all bases of rejection set forth in the Office Action have been traversed and overcome. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

Claim Rejections – 35 USC 102

At item 3 of the Office Action, the Examiner has rejected claims 1-8, 10-21 and 23-26 under 35 USC 102(b), as being anticipated by Lempio (US 6,831,896). The Examiner states in the Office Action that the wireless network system of Lempio includes/teaches each of the claimed limitations of claims 1-8, 10-21 and 23-26.

Applicant's Response

Upon careful consideration, applicant respectfully traverses such rejection and submits that claims 1-8, 10-21 and 23-26 as currently amended are clearly patentably distinct over the Lempio reference, based on the following.

Applicant respectfully submits that Lempio does not disclose each and every element of applicant's present invention.

For example, claims 1, 14, 15 and 16 now require the relay devices which contain the Bluetooth® devices to be configured so as to function independent of a host device, and has also amended claims 1, 2, 3, 14, 15, and 16 to define that the first and second relays are configured to be mounted on first and second (separate) mobile apparatuses. As disclosed, each of the relays may transmit data to other Bluetooth® modules or it may receive data from other Bluetooth® modules without the use of a host computer establishing links between each of the Bluetooth® modules in the network.

Quite differently, Lempio teaches a wireless network system wherein a host device communicates with a plurality of beacons. Each of the beacons includes identification codes

used by the host for establishing wireless communication links between either the host device and a beacon or between multiple beacons. Each of the beacons is connected either directly or indirectly to the host device (col. 2, lines 58-60). Though the disclosure of Lempio does discuss that each of the beacons is a transceiver (it may transmit or receive communication data), the beacons themselves must be in communication with the host device. This is clearly different from the claimed invention

Relatedly, because the disclosure of Lempio necessarily needs a host device to establish the communication links between the beacons, it is impossible for the entire wireless communication system of Lempio to be conveniently mobile. Instead, because of the inherent nature of host devices, i.e. host computers, they must be attached to a predominantly stationary structure and are not highly mobile. Again, this is far different from the disclosure of the present invention. Since the claimed invention does not need a host in order to have cable communication between the Bluetooth® modules, the relays/Bluetooth® modules may be attached to highly mobile devices making the entire system highly portable.

Applicant respectfully submits that as amended, claims 1-8, 10-21, and 23-26 are clearly distinguished over the disclosure of Lempio, and applicant therefore requests reconsideration and withdrawal of the Examiner's rejection of claims 1-8, 10-21, and 23-26 under 35 USC 102(b) as anticipated by the Lempio reference.

At item 5 of the Office Action, the Examiner has rejected claims 9 and 22 as being unpatentable over Lempio in view of Tuomela (US Pub. 2003/0235179). The Examiner states that: Lempio teaches the wireless network system of claims 1 and 14 as discussed above, but that Lempio does not explicitly show that an SCO link or an ACL link is established between Bluetooth® modules; in the same field of endeavor, Tuomela teaches an SCO link or an ACL link is established between the Bluetooth® modules (page 1 [0005]); and thus it would have

been obvious to one of ordinary skill in the art at the time the invention was made to use an SCO link or an ACL link established between Bluetooth modules as taught by Tuomela in order to provide wireless relay networks an extended operating range of a local RF system by using specific LPRF communication devices referred to as relay devices to interface with and provide communication between two or more user's communication devices.

Applicant's Response

Applicant has carefully considered the Examiner's rejection and applicant respectfully disagrees and request reconsideration thereof for those reasons as discussed above with respect to claims 1 and 14 regarding the Lempio reference, which are not overcome by any additional teachings of Tuomela.

Further, applicant respectfully submits that the proposed modification of Lempio's short range RF network based on a select teaching of Tuomela is improperly based on a suggestion coming entirely from the Examiner (guided by impermissible hindsight of applicant's disclosure), rather than on any teaching or suggestion which may be fairly gleaned from the references themselves. The system of Tuomela is a system used to reduce the interference caused when there are multiple Bluetooth relay devices used in a network. The system of Tuomela avoids such interference by setting all of the relay devices as masters and one of the relays is given control over the others so as to enforce that all the Bluetooth® modules to time their receptions so that no simultaneous transmission by another module occurs. This is clearly contrary to the invention of Lempio wherein each of the beacons can be a master or a slave at any time. The system of Lempio further uses a routing mechanism to select the most favorable transmission path among available paths for communicating data to the host, therefore the possibility of interference is eliminated.

Correspondingly persons of ordinary skill in the art would not consider it obvious to

hypothetically modify Lempio's system as proposed by the Examiner because the modification would effectively destroy Lempio's disclosed/claimed invention. The references provide no motivation for such a modification.

Applicant also respectfully submits that even if the Examiner's assertion that it would be obvious to combine the two references is accepted, any hypothetical combination resulting from the actual teachings of these references would still fail to achieve or make obvious the invention of the independent claims because they still do not teach each and every aspect thereof, e.g., the features of the amended claims discussed above. Therefore, applicant respectfully requests that the rejection of claims 9 and 22 as being unpatentable under 35 USC 103(a) be reconsidered and withdrawn.

Conclusion

Based on all of the foregoing, applicant respectfully submits that all of the rejections set forth in the Office Action are overcome, and that of the pending claims are believed to be allowable over all of the references of record, whether considered singly or in combination. Applicant requests reconsideration and withdrawal of the rejections of record, and allowance of the pending claims.

The application is now believed to be in condition for allowance, and a notice to this effect is earnestly solicited.

If the Examiner is not fully convinced of the allowability all of the claims now in the application, applicant respectfully requests that the Examiner telephonically contact applicant's undersigned representative to expeditiously resolve prosecution of the application.

Favorable reconsideration is respectfully requested

Respectfully submitted,



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